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ATTORNEYS FOR DEFENDANT
SQUARE, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

4361423 CANADA INC. d/b/a
ANYWHERECOMMERCE,

Plaintiff,

V.

SQUARE, INC.,

Defendant.

Case No. 4:19-cv-04311-JSW

**DECLARATION OF BIJAL V.
VAKIL IN SUPPORT OF JOINT
MOTION TO STAY CASE
PENDING IPRS**

DATE: December 6, 2019

TIME: 9:00 a.m.

JUDGE: The Honorable Jeffrey S. White

CTRM: 5, 2nd Floor

I, Bijal V. Vakil, declare as follows:

1. I am a partner at the law firm of White & Case LLP, counsel of record for Square, Inc. (“Square”) in this matter. I make this declaration in support of the Joint Motion to Stay Case Pending IPRs. I make the following declaration based upon my personal knowledge, and could and would testify thereto under oath if called upon to do so.

2. On September 30, 2019, Defendant Square, Inc. filed petitions for *inter partes* review (“IPRs”) of U.S. Patent No. 8,286,875 (the “‘875 patent”) (IPR2019-01625 and IPR2019-01626), U.S. Patent No. 8,281,998 (the “‘998 patent”) (IPR2019-01627 and IPR2019-01628), U.S. Patent No. 9,269,084 (the “‘084 patent”) (IPR2019-01629 and IPR2019-01630), U.S. Patent No. 9,016,566 (the “‘566 patent”) (IPR2019-01649), U.S. Patent No. 9,311,637 (the “‘637 patent”) (IPR2019-01650), U.S. Patent No. 9,443,239 (the “‘239 patent”) (IPR2019-01651), U.S. Patent No. 9,613,351 (the “‘351 patent”) (IPR2019-01652), and U.S. Patent No. 9,818,107 (the

“‘107 patent’) (IPR2019-01653 and IPR2019-01654).

3. The case is in its early stages and discovery has yet to begin, no claim construction has occurred, and a trial date has not been set.

4. Both parties agree that a stay is appropriate.

5. Square's IPR petitions address all eight patents at issue in this case.

6. The Parties' request is not made for purposes of delay or harassment, but is based in good faith upon the grounds stated above.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: October 7, 2019

By: /s/ Bijal V. Vakil
BIJAL V. VAKIL